

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 23, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 7:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...MEMORANDUM OF AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH THE CLERMONT COUNTY SHERIFF, THE BOARD OF COUNTY COMMISSIONERS, CLERMONT COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES AND THE CLERMONT COUNTY EDUCATIONAL SERVICE CENTER FOR THE PROVISION OF SCHEDULED LAW ENFORCEMENT SERVICES AT THE MEDICAL/SOCIAL SERVICES BUILDING FOR SAME...09-0311-002...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with concurrence of David L. Spinney, County Administrator, to execute the Memorandum of Agreement for Law Enforcement Services by and among the County Sheriff, the Board of County Commissioners, the Department of Job and Family Services and the Clermont County Educational Service Center, for the provision of scheduled law enforcement services at the Medical/Social Services Building, located at 2400 Clermont Center Drive, Batavia, Ohio 45103, for a total amount not to exceed \$72,025.34, which represents the annual salary including fringe benefits for one (1) deputy Sheriff, with a uniform replacement, repair, and cleaning expense not to exceed \$750.00, at the percentages as outlined therein, effective for the period of 03/01/09 through 02/28/10, with an option to renew for an additional one year period, pursuant to the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: CLERMONT COUNTY SEWER DISTRICT...RELEASE OF A MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A SANITARY SEWER MAIN EXTENSION AND ACCEPTANCE OF SAME INTO THE COUNTY SEWER SYSTEM...06-1204-004...APPROVED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize the release of a Maintenance Bond which provided surety for the installation of a sanitary sewer main extension to serve the following subdivision and to accept said sanitary sewer main extension into the County Sewer System, pursuant to the Clermont County Sewer District Rules and Regulations:

Subdivision	Township	Sewer Bond
Aspen Glen Subdivision Phase II DC# 06-1204-004 *Secured by Cashier's Check Number 10672193 issued on 11/28/06 by Fifth Third Bank on	Union	\$ 5,550.00*

behalf of Aspen Property Development, LLC, P.O. Box 662, Loveland, Ohio 45140		
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...REQUEST TO ADVERTISE
FOR BIDS FOR MAINTENANCE AND REPAIR OF WATER
DISTRIBUTION AND/OR WASTEWATER COLLECTION SYSTEMS
AND APPURTENANCES...09-0310-002...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Randy Davis, WSD Supervisor, with the concurrence of J. Dwight Culbertson, WSD Assistant Director of Operations and Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to approve the request to advertise for bids for Maintenance and Repair of Water Distribution and/or Wastewater Collection Systems and Appurtenances, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on Thursday, 03/26/09, scheduling a non-mandatory Pre-Bid Meeting on Thursday, 04/02/09 at 10:00 A.M., with bids to be received therefore until 2:00 P.M. Local Time on Thursday, 04/09/09 in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County’s internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: CLERMONT COUNTY SEWER DISTRICT/STORM WATER
MANAGEMENT DEPARTMENT...AMENDMENT TO CONTRACT FOR
PROFESSIONAL SERVICES WITH STANTEC CONSULTING
SERVICES INC. RELATIVE TO THE HALL RUN STREAM AND
SANITARY SEWER STABILIZATION PROJECT LOCATED WITHIN
UNION TOWNSHIP...08-1112-007...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of John McManus, Program Manager, Storm Water Management Department, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute an Amendment to the Contract for Professional Services by and between the Board of County Commissioners, Clermont County, Ohio, and Stantec Consulting Services, Inc., 11687 Lebanon Road, Cincinnati, Ohio 45241 for the provision of engineering services as it relates to the Hall Run Stream and Sanitary Sewer Stabilization Project located within Union Township, previously ratified by the Board of County Commissioners on 11/25/08, to extend the date of completion therefore from 03/31/09 to 04/30/09, pursuant to the terms and conditions set forth therein, with all other terms and conditions of the original contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/THE TELECOMMUNICATIONS DIVISION...EXECUTION OF THE CINCINNATI BELL WHITE PAGES ADVERTISING AGREEMENT...09-0316-002...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security/The Telecommunications Division, with the concurrence of David L. Spinney, County Administrator, to execute the Cincinnati Bell White Pages Advertising Agreement by and between the Board of County Commissioners of Clermont County, Ohio, and Cincinnati Bell Telephone Company, LLC, 221 East Fourth Street, Cincinnati, Ohio 45201 for the provision of publishing "CLERMONT COUNTY OFFICES – www.co.clermont.oh.us" with UDAC Code WFSC for 'super bold caption header-bold number' at a rate of \$86.00 per month for a total annual cost not to exceed \$1,032.00, effective immediately upon execution for a period of one year thereafter, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: TREATMENT ALTERNATIVES TO STREET CRIME...GRANT APPLICATION FOR CONTINUED STATE FUNDING ASSISTANCE THROUGH THE OHIO DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES (ODADAS) FOR THE PROJECT ENTITLED CLERMONT COUNTY TASC/TREATMENT ALTERNATIVES TO STREET CRIME FOR STATE FISCAL YEAR 2010...09-0320-001...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Dee Hargitt, Director, Treatment Alternatives to Street Crime, with the concurrence of David L. Spinney, County Administrator, to approve and authorize execution and submittal of a Grant Application for continued state funding assistance through the Ohio Department of Alcohol and Drug Addiction Services (ODADAS), 280 North High Street, 12th Floor, Columbus, Ohio 43215-2550 for the project entitled Clermont County TASC/Treatment Alternatives to Street Crime, State Grant Number 13-2960-TASC-T-09-9178, in the amount of \$208,600.00, with a local cash match of \$30,000.00 to be provided from the General Fund, for a total program budget of \$238,600.00, effective for the period 07/01/09 through 06/30/10, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: CLERMONT COUNTY COURT OF COMMON PLEAS/ADULT PROBATION DEPARTMENT...ADDENDUM TO THE SUBSIDY GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION AND CORRECTION FOR THE COMMUNITY BASED CORRECTIONS ACT 407 NON-RESIDENTIAL FELONY GRANT RELATIVE TO THE PRISON DIVERSION PROGRAM ENTITLED INTENSIVE SUPERVISION PROBATION FOR FISCAL YEAR 2009...08-0313-005...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bruce Gibson, Director, Clermont County Court of Common Pleas/Adult Probation Department, with the concurrence of David L. Spinney, County Administrator, to execute an Addendum to the Subsidy Grant Agreement by and between the County of Clermont, Ohio, and the State of Ohio, Department of Rehabilitation and Correction, 1050 Freeway Drive North, Columbus, Ohio 43229, previously ratified by the Board of County Commissioners on 05/23/07 and subsequently amended on 09/26/07, 03/26/08, 04/02/08 and 05/14/08, for the Community Based Corrections Act 407 Non-Residential Felony Grant relative to the Prison Diversion Program entitled Intensive Supervision Probation, operated by Clermont County Court of Common Pleas/Adult Probation Department, which represents an increase in the amount of \$10,000.00, for a total revised grant award of \$262,503.00, with no local match required therefore, effective 07/01/08 through 06/30/09, pursuant to and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER...REQUEST FOR A TEMPORARY DETOUR TO THROUGH TRAFFIC ON OLD STATE ROUTE 32 IN BATAVIA TOWNSHIP...09-0312-002...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize a temporary detour to through traffic on Old State Route 32 in Batavia Township for the period of **Monday, 03/30/09, through Monday, 10/05/09**, for a bridge replacement relative to the Old SR 32 Bridge Replacement Project Number BA-02-01, with the understanding that the appropriate barriers and detour signs will be maintained during the afore stated temporary detour along an alternate route by the appropriate law enforcement agency therefore pursuant to Section 5543.17 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: CLERMONT COUNTY PROSECUTING ATTORNEY...COMPUTER NETWORK SUPPORT AGREEMENT WITH TEXT AND DATA TECHNOLOGIES, INC. FOR THE PROVISION OF HARDWARE AND SOFTWARE MAINTENANCE AND SUPPORT SERVICES RELATIVE TO THE PROSECUTION COMPUTER NETWORK SYSTEM FOR SAME...09-0311-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Donald White, Clermont County Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to execute a Computer Network Support Agreement by and between the County of Clermont, Ohio, and Text and Data Technologies, Inc., 914 East Tallmadge Avenue, Akron, Ohio 44310 for the provision of hardware and software maintenance and support services relative to the Prosecution Computer Network System as outlined therein, for a total amount not to exceed \$4,137.00, effective 01/01/09 through 12/31/09, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...SATISFACTION OF MORTGAGE RELATIVE TO THE SEPTIC SYSTEM REHABILITATION FINANCING PROGRAM...09-0313-005...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Thomas L. Blust, Chief Assistant Prosecuting Attorney, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Satisfaction of Mortgage, certifying that the mortgage as dated has been paid, satisfied, and authorized for release for the following property, as it relates to the Septic System Rehabilitation Financing Program in concert with the Ohio Department of Development Small Cities Community Development Block Grant, as outlined below:

Name/Address	Parcel Number(s)	Recorded/Dated
Steven J. Wolf and Melinda K. Wolf 4171 State Route 276 Batavia, Ohio 45103	52-35-09I-079B 52-35-09I-001P	Mortgage Volume 1747 Pages 351-353 Dated 02/27/04

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...AMENDED JOINT APPLICATION WITH THE PROSECUTING ATTORNEY TO THE CLERMONT COUNTY COURT OF COMMON PLEAS FOR EMPLOYMENT OF LEGAL COUNSEL FOR MATTERS RELATIVE TO THE CECOS FACILITY AND OTHER ENVIRONMENTAL MATTERS AS NEEDED...09-0223-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to execute an Amended Joint Application with the Prosecuting Attorney to the Clermont County Court of Common Pleas, previously executed by the Board of County Commissioners, Clermont County, Ohio, on 02/25/09, for the employment of Legal Counsel with the following law firm as Special Counsel to represent the Board of County Commissioners in its official capacity and to advise it on legal matters, *as revised* and as outlined therein, with no change in the hourly rates or total amount not to exceed as outlined below for Calendar Year 2009, pursuant to Section 305.14 of the Ohio Revised Code:

Law Firm	Legal Matter(s)	Hourly Rate		Total Amount Not to Exceed
Schottenstein, Zox & Dunn, L.P.A. Huntington Center 41 South High Street Suite 2600 Columbus, Ohio 43215	Legal counsel for matters relative to the CECOS Facility on Aber Road, Williamsburg, Ohio, and the defense of the litigation brought by interested parties involving the County's NPDES permit(s) <i>including the retention of expert witnesses and consultants necessary, with the</i>	Attorneys/Principal	\$350.00	\$200,000.00
		Attorneys/Associates	\$275.00	
		Law Clerks	\$150.00	
		Paralegals	\$165.00	

	<u>concurrence of the County</u> , and such other environmental matters as the Board of County Commissioners may from time to time designate.		
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Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Croswell, to approve the minutes of Work Session of **02/11/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **03/23/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 7:13 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 03/23/09